

1642

Atty. Dkt. No. 039322-0226



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James P. Hoeffler et al.  
Title: SINGLE CHAIN MONOCLONAL  
ANTIBODY FUSION REAGENTS  
THAT REGULATE  
TRANSCRIPTION IN VIVO

Appl. No.: 09/939,769  
Filing Date: 08/28/2001  
Examiner: Susan Unger  
Art Unit: 1642

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AMENDMENT TRANSMITTAL

Commissioner for Patents  
Box NON-FEE AMENDMENT  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a Small Entity statement previously submitted.
- ☐ Small Entity statement is enclosed.
- ☒ The fee required for additional claims is calculated below:

|  | Claims<br>as<br>Amended | Previously<br>Paid For | Extra<br>Claims<br>Present | Rate      | Additional<br>Claims Fee |
|--|-------------------------|------------------------|----------------------------|-----------|--------------------------|
| Total Claims:  | 25                      | 53                     | 0                          | x \$18.00 | \$0.00                   |
| Independents:  | 4                       | 7                      | 0                          | x \$84.00 | \$0.00                   |
| First presentation of any Multiple Dependent Claims: |                         |                        | +                          | \$280.00  | \$0.00                   |
| CLAIMS FEE TOTAL:                                    |                         |                        |                            |           | \$0.00                   |

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. § 1.136(a) for the total number of months checked below:

|                                     |   |            |        |
|-------------------------------------|---|------------|--------|
| <input type="checkbox"/>            | Extension for response filed within the first month:  | \$110.00   | \$0.00 |
| <input type="checkbox"/>            | Extension for response filed within the second month: | \$410.00   | \$0.00 |
| <input type="checkbox"/>            | Extension for response filed within the third month:  | \$930.00   | \$0.00 |
| <input type="checkbox"/>            | Extension for response filed within the fourth month: | \$1,450.00 | \$0.00 |
| <input type="checkbox"/>            | Extension for response filed within the fifth month:  | \$1,970.00 | \$0.00 |
| EXTENSION FEE TOTAL:                |   |            | \$0.00 |
| CLAIMS AND EXTENSION FEE TOTAL:     |   |            | \$0.00 |
| <input checked="" type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above):        |            | \$0.00 |
| TOTAL FEE:                          |   |            | \$0.00 |

- ☐ Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$0.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 27 February 2003

By

Stephen A. Bent

FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

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Registration No. 29,768

*Election/Amdt D/#B*  
*J 3.7.03*



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*Attorney Docket No.: 039322-0226*

Applicant: James P. Hoeffler *et al.*

Title: SINGLE CHAIN MONOCLONAL ANTIBODY FUSION REAGENTS THAT  
REGULATE TRANSCRIPTION IN VIVO

Appl. No.: 09/939,769

Filing Date: August 28, 2001

Examiner: Anne L. Holleran

Art Unit: 1642

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**AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
Box NON-FEE AMENDMENT  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed January 28, 2003 (Paper No. 12), please amend the above-identified application as indicated below.

**In the Claims**

In accordance with 37 C.F.R. §1.121, please substitute pending claim 9, with the following rewritten version of the same claim, as amended. The changes are shown explicitly in the attached "Version with Markings to Show Changes Made."

9. (Twice Amended) A single chain monoclonal antibody fusion reagent comprising a single chain antibody fused to a trans-activation peptide, wherein said fusion reagent binds a transcription associated biomolecule within a host cell and is coded by a nucleic acid molecule produced by a method comprising:

(a) cloning a first nucleic acid fragment that codes for a DNA-binding domain peptide of a transcription activator into a first expression vector to yield a construct (1), wherein said DNA-binding domain peptide binds to a DNA regulatory sequence binding site;